

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

PERCY ST. GEORGE,

Petitioner,

v.

THE DISTRICT ATTORNEY OF THE
COUNTY OF PHILADELPHIA, et al.,

Respondents.

CIVIL ACTION

No. 00-1716

ORDER

AND NOW, this 8 day of August, 2011, for the reasons stated in the accompanying memorandum, and upon consideration of (1) the pleadings and the record herein, (2) the Report and Recommendation of M. Faith Angell, United States Magistrate Judge, and (3) petitioner's objections thereto, it is hereby **ORDERED** that:

1. The objections to the Report and Recommendation are **SUSTAINED**.
2. The Report and Recommendation is **NOT ADOPTED**.
3. An evidentiary hearing will be held on September 8, 2011, at 11:30 a.m.. At issue will be whether petitioner's trial counsel, Robert Dixon, disregarded petitioner's request that he file a notice of appeal.

BY THE COURT:

/s/ Louis H. Pollak
Pollak, J.